CHRISTMAS IS COMING.

PRICE ONE CENT.

YORK, MONDAY, DECEMBER 17, 1894.

DIVVER'S FATE IN DOUBT.

Court of Common Pleas to Decide Whether or Not to Dismiss Charges.

NO ANSWER WAS RETURNED.

His Lawyer Moves to Dismiss or the Grounds of Vagueness and Absence of Proof

PROSECUTOR HALE OBJECTS.

He Declares the Charges Were Sworn to Before Lexow and Are Matters of Common Report.

Public interest was shifted to-day from



ceedings require the attendance of the

full bench of the Court of Common Pleas, which consists of Chief Justice

Joseph F. Daly, and Judges Henry W. Bookstaver, Henry Bischoff, Jr., Roger A. Fryor, Leonard A. Glegorich, and Miles Beach, and special rules have been adopted for the conduct of the

case.

The charges against Divver were filed Nov. 37, and at the time he was allowed twenty days in which to answer them. This time expired yesterday, and up to 10 o'clock this morning Clerk Wagstaff, of the Court of Common Pleas, had received no reply from Mr. Divver or his representatives.

The Charges Against Divver.

He is charged with high crimes and misdemeanors, and violations of the statutes of the State in having been habitually careless, negligent and in-

PITCHED INTO FELLOWS.

Cox & Callender Explain Why

Blackmailers Go Free.

When George A. Reid, who was in-dicted on Sept. 7 last for sending an-

noying letters to George Cox, jr., of Cox &Callender, brokers, 17 and 19 William

street, was called to the bar for trial in Part III. of the Court of General

Sessions to-day, before Judge Cowing

sideration the fact that Reid had already

penitentiary.

Attached to the papers in the case to-day was the following letter written to the District-Attorney by Messrs. Cox & Callender. How it came to be made a matter of record is not known, but it is likely that whoever attached it to the papers did so without the knowledge of the District-Attorney.

he pleaded guilty. Judge Cowing said

The doors had been opened mean-while, and every available place in the court-room had been taken possession of by the crowd of Second Warders, who had come out to support and encourage their leader.

of by the crowd of Second Warders, who had come out to support and encourage I their leader.

Mr. Rollins began by saying that he idd not think Justice Divver should be asked to make any answer at present to the charges against him, as he had not time to prepare to meet them.

"This is a novel end infrequent proceeding, and counsel are not decided as to whether these charges should be taken up one by one and disposed of separately, or whether they should be taken all together, and judgment demanded upon the whole series at once," he remarked.

Mr. Rollins went into a long and general discussion of the charges, and declared that they were vague and indefinite and that it would be unfair to compel his client to answer them unless they were made more specific.

"I think there ought to be some affidavits in support of these charges before they can properly be brought to the attention of this Bench," said he. "The machinery of this court ought not to be set h motion in a proceeding of this kind except upon a most serious presentation of the case against the defendant."

ment of his cilents.

Mr. Rollins insisted that the technical objection which he made was valid, and that the charges should not be enter-

that the charges should not be enter-tained.

"Then this is, in effect, a motion to dismiss the charges?" asked Chief Jus-tice Daly.

"It is, Your Honor," replied Mr. Rol-lins, "on the first ground that there is no sufficient affidavit accompanying the charges, and on the second ground that there is a want of specific statement as to the source of information of these six taxpayers, who say that they only make the charges on information and belief."

The Six Signers to the Charges.

The names of the six accusers of Justice Divver are Franz Kohlenberg, Charles E. Sprake, Isaac K. Funk, Henry V. Parsell, John F. Harrison and Nathaniel H. White, and Mr. Rollins said that there was no evidence that any one of them knew anything personally in

and that these blackmailers grow hold over the apparent apathy to punish!

What respect can anyone have for such an administration of law? Very traly

COX & CALLENDER.

Had a "Knock-Out" Drink.

James McDowney, a farmer, from New Lon

Who Stole the Winterf

Sergt. Dunn, of the Weather Bureau, has been

Ex-Surrogate Rollins Speaking in Divv er's Behalf.

the Lexow investigation, across the broad rotunds to the Court of Common Pleas, where Police Justice Patrick Divver had been summoned to answer the charges brought against him by the five taxpayers, represented by Lawyer W. H. Hale, and to show cause why he should not be removed from the judicial bench.

These extraordinary impeachment proment of his clients.

efficient in the discharge of his duties as a police justice; in having committed a brutal assault upon Liquor Dealer Morris Tekuisky, and engaged in a public brawl; in having instigated violations of the Election law by assisting in fraudulent registration and votins, and in having been engaged in the greengoods business with the notorious Edward Parmeley Jones, with whom he is alleged to have divided the profits of the swindle.

Justice Divver's chief counsel in these proceedings is ex-Surrogate Daniel G. Rollins, and associated with him is Lawyer Abraham Levy. They were among the earliest comers this morning and arrived in the court-room before the crowd had been admitted. Justice Divver accompanied them, and it was said that he was prepared to make a general denial of the charges.

Levy Expects a Dismissant.

Lawyer Levy stated that while he did not intend to give any outline of his programme in advance he would say

Lawyer Levy stated that while he did not intend to give any outline of his programme in advance he would say that he did not think there was the slightest foundation for the charges, and declared that he expected to see the bottom fail out of them.

"The proceedings are of such a nature that on this account I think we should go about answering these-charges very deliberately," said he.

Justice Divver looked somewhat worted, despite the assurances of his counties. He was sprucely dressed, and after laying his glossy slik hat upon the table, began to finger nervousiy a budle of documents, which he had brought whin him.

The Judges filed into the court-room at 10.30, and took their places upon the bench. They were all present except Judge Beach Chief Justice Daly announced that he and his associates were ready to hear the answer of Patrick Divver to the charges that had been preferred against him."

Intimation of thedrand Work.

Mr. Hale said that he was not prepared to follow the defense "through its subterranean and slimy methods," and became very much excited as he alluded underhand attempts which he believed were being made to secure a dismissal of the charges and became very much excited as he alluded to underhand attempts which he believed were being made to secure a dismissal of the charges were additional charges separate and would hand them up to the Court.

He passed up a folded paper by the clierk, which was taken by Judge Daly, but not read. The latter said that before taking any action the Court would like to hear further from Mr. Rollins, who thereupon went over each of the charges separately, and in behalf of his client denied each one specifically. He characterized them as infammatory and frivolous, and declared that upon such a presentation of alleged facts against him."

Becand Warders Out in Force.

The doors had been opened mean-the feet that the proceeding was a complete of the charges was due to the feet that the proceeding was a complete of the proceeding was a complete of the proceeding wa

Hale Pleads Novelty of Proceedings

In reply to this Mr. Hale said that
the informality of the charges was due
to the fact that the proceeding was a
novel one, and to a certain extent he
was ignorant of what a technically
proper presentation of the case should
be, and he did not believe Mr. Rollins
himself knew.

He said he did not think it could be
regarded as regular impeachment proteedings, or require the same solemnity
and formality, because Justice Divver
was only an inferior public officer. He
admitted that in order to remove a
judge of a court of record, it might be
f necessary to prefer charges more formal
and specific.

He had witnesses, he said, to substantiate the charges, and claimed the right
to call and examine them. As far as
Parmeley Jones, the grees goods king,
was concerned, he did not know where
he was, nor could he produce him. The
Lexow Committee even had falled to
find him.

"I think there ought to be some affidaylts in support of these charges before they can properly be brought to
the attention of this Bench," eald he.
"The machinery of this court ought not
to be set in motion in a proceeding of
this kind except upon a most serious
presentation of the case against the detendant."

Says the Charges Are Vague.

He then went over the charges separately, and declared that in each of



Bank Robber Admits His Wrong-Doing in Court To-Day.

Walked Firmly to the Bar to Plead, Unconscious of the Gaping Crowd.

But in Any Event the Defaulter Says He Would Not Have Changed His Determination.

keeper of the National Shoe and Leather and making false entries, before Judge

Building from Ludlow Street Jail at 10.50 by Deputy United States Marshal Hurley. He was not handcuffed like other criminals, but was treated with great consideration.

Judge Benedict took his seat on the bench at 11 o'clock sharp. 'It took him twenty-five minutes to dispose of the routine work, and while thus engaged Seely was ushered into court by United States Marshal McCarty and a bevy of deputy marshals. He was placed in the pen with other malefactors, and went to the further window and looked steadily out into City Hall Park for fully fifteen minutes. Neither his wife nor his attorney was present in court. the bar. He walked steadily, apparently

the bar. He walked steadily, apparently unconscious of the many curious glances cast upon him.

"Samuel C. Seely, you have been indicted for abstraction and making false entries. How do you plead?" said Court Clerk Henry I. Thornton.

The prisoner cast one look on either side, and lowering his eyes to the floor, replied in an almost inaudible voice, "Guilty."

Judge Benedict set no date for Seely's sentence, and he was then taken back to the Marshal's office. He refused to speak to reporters, but expressed himself somewhat freely to Marshal McCarty.

"I don't know why my attorney is not here to-day," said he. "Probably he thought Judge Benedict had not returned from the West, and that there would be no court."

He was asked if Attorney Angel had been prevent would he have changed his plea.

"No, I don't suppose I would. Angel told me I had a fighting chance to beat the indictment, but if I had got clear on this one I would only have been reindicted and rearrested. I'm guilty anyway, and I want to get it all over with."

Seely was taken back to the Ludlow

Republican watcher, at the Spring election in Senator Murphy's home.

The Governor replied that he could not

with."
Seely was taken back to the Ludlow
Street Jall after court adjourned.
He was up at 7 o'clock this morning and had his breakfast at the
table of Warden Fox in Ludlow Street
Jall. For the privilege of meals at the
Warden's table he pays 15 a week.
His wife and child called at the



DUNRAVEN DENIED.

of the Police Justiceship Divver had repeatedly and habitually conducted and abetted false and fraudulent registra-tion and false and illegal voting and frauds in the making of election re-turns.

turns.
The case of Charles Harris, the Lexow witness, was specified. It was charged Divver had caused him to register and vote in seventeen election districts in 1893.

Cup Committee Rejects His Latest Proposition to Race.

Mr. Cox also wrote a letter to Assistant District-Attorney Weeks, in which he said that he di not care to see Reid very severely punished. Reid was read a severe lecture by Judge Cowing, who said that his offense was one of the meanest of which a man could be guilty. The Cup Committee of the New York Yacht Club met at noon to-day and rejected Lord Dunraven's latest proposi-

They will wait until official notice is received from the Royal Yacht Squadron.

VICTIM OF HYPNOTISM?

he pleaded guilty. Judge Cowing said that he had received a letter from Mr. Cox in which he said that he did not want Reid to he severely punished, and that he would, therefore, take into conhad several drinks, with \$5 in his waistcon Munich Woman Said to Have Beer spent several months in the Tombs and would sentence him to one month in the penitentiary.

Attached to the papers in the case today was the following letter written to

Tricked by Mock Marriage. MUNICH, Dec. 17.-A sensational trial

for a weak wearing a big overcoat and trying to convince himself that Winter had arrived. He gave it up this morning and came to the con-clusion that with the acception of a very slight touch of cold to-marrow morning there would be no Winter just now. Not even a snowstorm is in sight. Office of Cox & Callender,

If and 19 William street.

New York, Cet. 15, 1934.

Han, John R. Pellows, District-Attorney:

Dear Sir—We hand you herewith a clipping from one of our daily papers, and in connection therewith refer you to the case of the Feople versus (George A. Reid. This man was indicated by the Grand July some seven weeks age, and, we believe, has been in confidence in the shipper in plotted and confidence in the clipping we inclose as asying: "The merchant don't care to appear in prosecute these cases of blackmailing letters which are so frequent, &c.," making the doctant of justice rest upon them when the boot should rather be came because they are put to an amazyance and ions of time that is entirely unwarranted and contrary to any ideas of justice. In the shows mentioned case our Mr. Co has appeared from six to seven different times, causing a loss of time that is entirely unwarranted and contrary to any ideas of justice. In the shows mentioned case our Mr. Co has appeared from six to seven different times, causing a loss of time that is entirely unwarranted and contrary to any ideas of justice. In the shows mentioned case our Mr. Co has appeared from six to seven different times, causing a loss of time that is entirely unwarranted and contrary to any ideas of justice. The subposts has been served at them to be clock on the morning set for title. But you would that the season can be rather reluxability given. The subposts has been served at these the case has been postgound after he has waited ace or two hours in the Court.

By you wonder that escreams won't prosecute to fast table d'hots disser is served at the St. In the base waited and contrary in the Court.

By you wonder that escreaming work propagation of a very single for the cluster for the history was content for the time that winter had arrived the contral way to the contral way to the propagation of a very single touch of cold to the contral way to the contral way to the propagation of the time that winter had arrived the contral

Busy Morning at Quarantine. The bay off quarantine presented an unusu

lively scens at suarise this morning. When Deputy Health Officer Tailmadge left the Quarantine dock for the usual inspection of innominal voicesia, there were thirteen ocean steambhips a anchor. At 10.36 o'clock the last of the fice was passed.

HIS LAWYER NOT ON HANC.

this morning. He was remanded for

Governor at the Windsor Hotel to-day, and asked him about a report that a strong effort will be made to induce him to commute the sentence of "Bat" Shea.

Marden's table he pays 115 a week.
His wife and child called at the
jail on Sunday, and the officers say the
meeting was very affecting. Seely was
unnerved at first.
Mrs. Baker, the widow of Frederick
Baker, who Seely says got all of the
big theft except 110,000, defends her
dead husband, and intimates that there
is a consultacy to cover up missioners

ANOTHER BOMB EXPLODES.



TAIT PLEADS NOT GUILTY.

The Chemical Bank Embessler Fol

lows Seely to the Bar. John R. Tait, ex-bookkeeper in Chemical National Bank, who was indicted for embezzling \$15,000 of the bank's funds, was arraigned before Judge Ben-

MUNICH, Dec. 17.—A sensational trial is taking place here. A teacher of languages, Czeatans Czynfki, is charged with hypnotizing a lady of title in order to obtain her fortune.

She was induced, it is alleged, it go through a mock marriage ceremony performed by a friend of the teacher, who impersonated a priest. Several specialists in hypnotism have been summoned as witnesses.

dants:
Gearge Gariner, a letter-carrier at
station "E," charged with stealing valuable letters; Adolphus Stevens, postal
clerk at station "E," stealing valuable
letters; Neil Hepburn, ex-Postmaster at
City Island, not accounting for \$4,700
postal revenues.

The trial of William Schooley was resume before Judge Martine, in Part L of the Court of Dr. Abbott Minus a Cout.

The police of the Fulton street station, Brookira, are exarching for a man who atole an overcoast from the residence of Rev. Lyman Abbott,
of Plymouth Church. He lives at 110 Columbia,
Heights. The fellow saked for smistance. Mrs.
Abbott jeft him in the hallway to get as id. The
men and sverecoat were missing when she returned.

WILL HE SAVE "BAT" SHEA? EUGENE KELLY, SR., DYING.

Doctors Hold Out Little Mope the He May See Another Day. Eugene Kelly, ar., the banker, in

worse this morning.
The doctors left his bedside at

His death is momentarily expected.
Mr. Kelly became seriously ill on Dec.
4. He was stricken with paralysis. He rallied, however, and physicians hoped his strong constitution would pull film through. A trip South was arranged for. He was largely interested in banking business in Savannah and other Southern cities.

Morton at Rhinecliff, and Thomas C Platt, at New York, and had decided that the Governor-elect could not ap-point the extra Judges of the Suprema Court. Mr. Hancock said:

I have not seen Gov. Morton since election. I have never had any communication with him on the subject of the new judges. My advice has not been asked or given concerning this appointment, and I was never in Rhinecliff. I did not have any conference with Mr. Platt is New York. The entire statement is without any foundation. VAN COTT DOESN'T WANT IT.

School in Time for the Christmas Tree.

Gov. Flower is in the city to-day, hav-

ng come down from Albany in order to attend the funeral of Adjt.-Gen. Josiah Porter. He will return to the Capitai

HANCOCK DENIES A STORY.

About Extra Judges.

He Never Talked with Mortor

big rat and set it on fire. The rat ran down Ludiow street in a blase and the crowd that gath-ered cheered and hissed. Rosenberg was arrested in a barber shop where he had fied. He claimed that he was only a spectator and not the culprit.

200 Lamps for Central Park. The Gas Commission met to-day and decided to adequately lighted heretofore, although the Board has frequently been pottleoned to provide some such system. The contract was awarded to the New York and New Jersey Gas Light Company, at \$22 per lamp for the year of 1896, or \$4.00 in

Bone-Hunters Are Greedy

At a caucus of Republican Supervisors this morning it was decided to dismiss all Democrats holding office in the Board. Official action will be taken at the annual meeting, on the first Tues-day in January. The two principal officers are Thomas J. Parrell, chief clerk, at a salary of 3,500, and his assistant, Michael J. Dowden, whose salary is \$1,000.

Alleged Beggars Held for Trial. John Maloney and James Kelly, who tried to

All the Good Little Boys Are Hurrying to Join Supt. Strong's Sunday-

who is now awaiting execution, to im-prisonment for life. Shea is the Troy "heeler" who killed Robert Ross, the the Governor replied that account not very well talk about any such matter in advance of the announcement of his official decision, but that he would say that he knew nothing about this particular case at all. If any such petition is preparing, he does not know of it. ALBANY, Dec. 17 .- Attorney-General Hancock this morning denied the state-ment that he had visited Governor-elect

EUGENE KELLY, SR.

Mr. Kelly was born in Trellick, County Tyrone, Ireland, in 1808, and at the age of twenty came to this country with 33 in his pocket. His first position was that of cierk in Donnelly Bros. dry-goods store. He next tried gold mining in 1848, and later started the San Francisco banking-house of Donchue, Kelly & Raiston.

During the was homed the currency before the holidays has been shandoned. Many

SISTER FRANCOIS INJURED.

of One Hundred and Fortieth street, while crossing Third avenue at One Hundred and Third street, was struck by cable car No. 172 this morning. She sustained a concussion of the brain, and was removed to the Hariem Hospital.

and who was worth \$10,000,000, is dying in pov-erty at 148 West Tenth street. Had business luck Mayor Hopkins Has Throat Disease. CHICAGO, Dec. 17.-Mayor Hopkins is som what alarmed over an allment affecting his throat. Arduous work during the campaign has made it difficult to conquer the disease. He will start East to-morraw to consult a specialist.

His Death Was Sudden At \$ 20 o'clock this morning, Thomas Comisky, fifty years old, died suddenly at his residence, \$25 East Fourteenth street. The Curoner was notified.

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of the County Committee.

Cornelius Van Cott said to-day that he is not a candidate for President of the Republican County Committee for a great rate, until when he retired from active business are place. He said he was for Edward Lauterbach, which is cuite proper, for Mr. Lauterbach is for Mr. Van Cott.

Raiston.

During the war he moved his business to New York, and lost considerable sums of money in Southern loans. In spite opposed to hurried action. Speaker Crisp opposed to hur

1896, and that he would not accept the place. He said he was for Edward Lauterbach, which is cuite proper, for Mr. Lauterbach is for Mr. Van Cott.

The various Assembly District Conventions will elect the 153 delegates to the County Convention to-morrow night, and the slates are all complete. Both the Brookfield and the Platt factions profess confidence in their ability to win.

FUNERAL OF GEN. PORTER.

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Regulation Military Honors Will Be Paid Him.

Notwithstanding the personal wishes of the family of the late Adjt.-Gen. Joseph to run until the holiday recess, the debate being resumed after the recess. He has a right to proceed, as the bill is privileged. Bome of Mr. Springer's associates monies be as simple and private as possible, the services will be attended by the regulation military honors.

de great rate, until when he retired from several members of the agreat rate, until when he retired from settive business a few years ago he was a great and the seven it is provided and the seven the ween it is old insight on such speedy action as would coasion criticism. The seven has not insight on such speedy action as would occasion criticism. The seven has not insight on such speedy action as would occasion criticism. The seven has not insight on such speedy action as would occasion criticism. The seven has not insight on such speedy action as would occasion criticism. The seven has not insight on such speeds and the seven has not insight on such speeds and the seven has not insight on such speeds and the seven has not insight on such speeds and the seven has not insight on such speeds and the seven has not insight of the seven has not several members of the seven has not insight on the land that the world in the seven has not insight on such speeds and the seven has not insight on such speeds and the seven has not insight on such speeds and the seven has not several members of the such insight of the seven has not insight on the such and the seven has not insight on such speeds and the seven has not insight on such speeds and the seven has not several members of the such insight of the seven has not in single of the such and the seven has not insight on such speeds and the seven has not seven the such speeds and the seven has not seven the such seven has not seven

MAY ARREST MORE CAPTAINS.

PRICE ONE CENT.

Rumor of Additional Indictments by the Grand Jury This Afternoon.

RESULT OF THORNE'S SQUEAL

Also Reported that Capt. Strauss Has Told an Interesting Story.

CHAIRMAN LEXOW ENTHUSES

ments at This Week's

The Grand Jury came in at 1.30 o'c this afternoon, and it is said that the

certain that bench warrants have usued for Police Captains, and the

Up, and Lawyers Goff, Je Moss are confident that the will be speedy and effective It was learned this most

daughter of the Vice-President, was a little better yesterday, s.d. her father left for Washington to remain a few days. There was no change in Miss Stevenson's condition last night or this moraing.

Once Millionaire, Now Poor.

Count Joseph de Susini, who was at one time Count Joseph de Susini, who was at one time Headquarters than the revelat by Capt Croeden.



CAPT. WILLIAM STRAUSS.